



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: THOMAS *et al.* Confirmation No.: 8113
Serial No.: 09/497,957 Art Unit: 1634
Filed: February 4, 2000 Examiner: Goldberg, Jeanine Anne
For: PLASMIDS COMPRISING NUCLEIC Attorney Docket No.: 8907-087-999
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TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **John Cassingham** represents that he holds the position of **Patent Counsel and Assistant Secretary of Bio-Rad Laboratories, Inc.**, the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment which was recorded on **February 4, 2000** at reel **010598** frame **0014**.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 5,872,237 which issued on February 16, 1999 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,872,237.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,872,237 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Bio-Rad Laboratories, Inc.**

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 8th day of July, 2004.

Bio-Rad Laboratories, Inc.

By: 

Name: John Cassingham, Esq.

Position: Patent Counsel and Assistant Secretary